

AMERICAN LEGISLATIVE EXCHANGE COUNCIL

MEMORANDUM

TO: Commerce, Insurance and Economic Development Task Force Members
FROM: Cara Sullivan, Task Force Director
DATE: July 3, 2013
RE: 35-Day Mailing—2013 Annual Meeting

The American Legislative Exchange Council will host its [2013 Annual Meeting August 7-9th](#) at the **Palmer House Hilton in Chicago, Illinois**. You may register for the meeting [here](#). Please note that the housing cut-off is July 17th so register soon to secure a room.

Commerce, Insurance and Economic Development Task Force Meeting

Thursday, August 8th
2:30-5:30 PM

The Task Force will consider model policy on temporary help unemployment insurance as well as amendments to the existing “Occupational Licensing Relief and Job Creation Act.” We will hear presentations from former Milwaukee mayor and president of the Congress for the New Urbanism, John Norquist, and Mercatus Center senior research fellow, Matthew Mitchell, as well as presentations on catastrophe reinsurance and fee based lending laws for small dollar loans. The Task Force will also consider model policies scheduled to sunset at the end of the year. Rules governing the sunset procedures are included in the attached Task Force Operating Procedures.

Subcommittee Meetings

All four of the Task Force’s subcommittees will meet and all Task Force members are encouraged to attend. The Financial Services, Surety Insurance, and Transportation and Infrastructure subcommittees will meet the morning of **Wednesday, August 7th**. The Labor and Business Regulation Subcommittee will meet the morning of **Thursday, August 8th**. The Labor and Business Subcommittee will discuss ALEC’s existing “Resolution on Business and Franchise Agreement Legislation.” Details are enclosed on the attached agenda.

Please find the following materials attached:

- Annual Meeting Agenda-at-a-Glance
- Subcommittee Tentative Agendas
- Task Force 2013 Annual Meeting Tentative Agenda
- Draft Model Legislation
- Report of the Executive Committee on model policies scheduled to sunset
- Registration Forms
- Task Force Operating Procedures
- Mission Statement

I look forward to seeing you in Chicago! As always, if you have any questions, comments, or suggestions please contact me at csullivan@alec.org or 571-482-5031.

Sincerely,
Cara

2013 Annual Meeting Working Agenda*

Wednesday, August 7

Registration Open, 7:30 a.m. - 5:00 p.m.

Exhibit Hall Open, 9:30 a.m. - 5:00 p.m.

Subcommittee Meetings, 7:30 a.m. – 11:30 a.m.

Plenary Lunch, 11:30 a.m. - 1:30 p.m.

Workshops, 1:45 p.m. – 4:30 p.m.

Various Receptions, 5:00 p.m. – 8:30 p.m.

Thursday, August 8

Registration, 7:30 a.m. - 5:00 p.m.

Exhibit Hall Open, 9:30 a.m. - 5:00 p.m.

Plenary Breakfast, 8:00 a.m. - 9:15 a.m.

Workshops, 9:30 a.m. - 12:15 p.m.

Plenary Lunch, 12:30 p.m. - 2:15 p.m.

Task Force Meetings, 2:30 p.m. - 5:30 p.m.

Various Receptions, 5:30 p.m. – 11:30 p.m.

Friday, August 9

Registration, 7:30 a.m. - 12:30 p.m.

Exhibit Hall Open, 9:30 a.m. - 12:00 p.m.

Plenary Breakfast, 8:00 a.m. - 9:15 a.m.

Workshops, 9:30 a.m. - 12:15 p.m.

Plenary Lunch, 12:30 p.m. - 2:15 p.m.

Task Force Meetings, 2:30 p.m. - 5:30 p.m.

Various Receptions, 5:30 p.m. – 6:30 p.m.

State Night Dinners, *Times Will Vary*

*items subject to change

**Financial Services Subcommittee
Annual Meeting 2013**

**Wednesday, August 7th
9:00-9:45 AM**

Location TBA

- 9:00 AM** **Welcome and Introductions**
Representative Woody Burton, *Indiana*
Paul Russinoff, *VISA*
- 9:05 AM** **Foreclosures: A National Perspective**
- 9:30 AM** **Update on State Legal Challenges to Dodd-Frank**
- 9:40 AM** **Good of the Order**
- 9:45 AM** **Adjournment**

**Surety Insurance Subcommittee
Annual Meeting 2013**

**Wednesday, August 7th
10:00 AM – 10:30 AM**

Location TBA

A. Welcome and Introductions

Senator Dan Lederman, *South Dakota*
Dennis Bartlett, *American Bail Coalition*

B. Presentations and Discussions

1. Electronic Bond Filing: Recent Advances and Future Developments
2. Trust accounts – what states have it and how they work
3. Sunset of Forfeitures

C. Good of the Order

D. Adjournment

**Transportation and Infrastructure Subcommittee
Annual Meeting 2013**

**Wednesday, August 7th
10:45 – 11:30 AM**

Location TBA

- 10:45 AM** **Welcome and Introductions**
- 10:50 AM** **Discussion of “ALEC Statement of Principles on Toll Roads”**
- 11:05 AM** **Keeping Rail on Track: An Industry Update from the State and Local Level**
- 11:25 AM** **Good of the Order**
- 11:30 AM** **Adjournment**



LIMITED GOVERNMENT • FREE MARKETS • FEDERALISM

**Labor and Business Regulation Subcommittee
Annual Meeting 2013**

**Morning of Thursday, August 8th
Exact Time TBD**

Location TBA

1. Welcome and Introductions

Representative Gary Daniels, *New Hampshire*
Vinnie Vernuccio, *Mackinac Center for Public Policy*

2. “Temporary Help Unemployment Help Insurance Act”

3. Amendments to ALEC’s “Occupational Licensing Relief and Job Creation Act”

4. DISCUSSION: ALEC’s Resolution on Franchise and Business Agreement Legislation

As part of the sunset review of model policies older than five years, the Task Force reviewed ALEC’s existing “Resolution on Franchise and Business Agreement Legislation” at the 2012 States and Nation Policy Summit. The Task Force referred the resolution to the Labor and Business Subcommittee for further discussion. A copy of the resolution is enclosed.

During the 2013 Annual Meeting, we will hear presentations on the topic and there will be an opportunity for Q&A. Members may bring proposed amendments or related model legislation language as a starting point for discussion but no vote will take place. If you have materials you would like distributed prior to the meeting, please send them to csullivan@alec.org no later than Friday, July 26th.

This discussion is open to all Task Force members. If you have any questions, please contact Cara Sullivan at csullivan@alec.org or 571-482-5031.

5. Good of the Order

6. Adjournment



**FOR DISCUSSION AT LABOR AND BUSINESS REGULATION
SUBCOMMITTEE MEETING:**

Resolution on Franchise and Business Agreement Legislation

Summary

This resolution recognizes that business and franchise agreements as contracts, which, freely and openly entered into by the parties, should not be impaired.

Model Legislation

WHEREAS, the contract, either written or oral, is the fundamental basis for doing business in the United States, and;

WHEREAS, franchising has been a major source of economic expansion in the United States, particularly in the retail trade and service sectors, and;

WHEREAS, business and franchise agreements are contracts that govern the duties and obligations of the parties to the contract, and;

WHEREAS, parties to business and franchise agreements have legal remedies available under common law and state and federal statutes to resolve contractual disputes, and;

WHEREAS, the U.S. Constitution and most state constitutions specifically prohibit impairment of contracts freely and openly entered into by the parties, and;

WHEREAS, legislation which alters the pre-existing and prospective terms of the contract serves only to discourage the establishment of business and franchise agreements, and limits the parties' ability to choose from a variety of business relationships,

NOW THEREFORE BE IT RESOLVED, that the American Legislative Exchange Council opposes enactment of laws that interfere with business and franchise agreements freely and openly entered into by parties.

Resolution on Franchise and Business Agreement Legislation (1996)

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This Resolution will sunset on December 31, 2013 and is committed to the Labor and Business Regulation Subcommittee for further consideration.

1996 Sourcebook of American State Legislation

Amended by the Commerce, Insurance and Economic Development Task Force at the States and Nation Policy Summit, November 30, 2012. Approved by the ALEC Board of Legislators January 2013.

Commerce, Insurance and Economic Development Task Force Meeting

2013 Annual Meeting

Thursday, August 8th

2:30 – 5:30 PM

Location: TBD

Tentative Agenda

- 1. Call to Order** **2:30 PM**
 - A. Welcome and Introductions**
Representative Dawn Pettengill, *Iowa*, and Mr. Emory Wilkerson, *State Farm Insurance*
 - B. Attendance**
 - C. Approval of Minutes from 2013 Spring Task Force Summit**
 - D. Subcommittee Reports**
 - a) Financial Services
 - b) Labor and Business Regulation
 - c) Transportation and Infrastructure
 - d) Surety Insurance
- 2. Model Legislation and Presentations**
 - A. PRESENTATION: Government Obstacles to Urban Development** **2:45 PM**
The Honorable John Norquist, *Congress for the New Urbanism*
 - B. Amendments to ALEC's "Occupational Licensing Relief and Job Creation Act"** **3:15 PM**
 - C. PRESENTATION: State Economic Development Policies** **3:35 PM**
Dr. Matthew Mitchell, *Mercatus Center*
 - D. PRESENTATION** **3:55 PM**
Mr. Joesph Schuebert, *Security Finance Corporation*
 - E. "Temporary Help Unemployment Insurance Act"** **4:10 PM**
 - F. PRESENTATION: "Why Catastrophe Reinsurance Supply has Increased--Impact on State Residual Markets"** **4:40 PM**
Mr. Bradley Kading, *Association of Bermuda Insurers and Reinsurers*
 - G. Voting on Policies Scheduled to Sunset at End of 2013** **5:00 PM**
- 3. For the Good of the Order** **5:20 PM**
- 4. Adjournment** **5:30 PM**

MOTION

DRAFT Amendments to the ALEC “Occupational Licensing Relief and Job Creation Act”

Summary

Occupational licensing increases unemployment by about 1%, raises prices by about 15%, and offers no incremental consumer protection over a competitive market. This Act ensures that an individual may pursue lawful occupation free from unnecessary occupational regulations, and protects against the use of occupational regulations to reduce competition and increase prices to consumers. When enacting future occupational regulations, this Act requires state legislatures to find real harm, and select the least-restrictive regulation to address that harm. The Act also protects entrepreneurs by shifting the burden to the government to show in court and administrative hearings that it is enforcing occupational laws for health-and-safety reasons, and not solely as a barrier to entry.

Model Legislation

{Title, enacting clause, etc.}

Section 1. {Purpose}

This Act’s purpose is to:

(A) Ensure that an individual may pursue a lawful occupation free from unnecessary occupational regulations, and

(B) Protect against the misuse of occupational regulations to reduce competition and increase prices to consumers.

Section 2. {Definitions} The following definitions apply in this Act:

(A) “Business license” means a permit, registration, certification, franchise or other approval required by law for a sole proprietorship, partnership or corporate entity to do business.

(B) “Certification” is a voluntary program in which the government grants nontransferable recognition to an individual who meets personal qualifications established by a legislative body. Upon approval, the individual may use “certified” as a designated title or as part of a designated title. A non-certified individual may also perform the lawful occupation for compensation but may not use the title “certified.” “Certification” is not intended to be synonymous with an “occupational license” in this Act or to prohibit the use of private certification.

(C) “Certified” is a designated title an individual may use if the individual meets the personal qualifications for certification established by the government or a private certifying organization.

(D) “Court” means any court, administrative tribunal or other government agency acting in a judicial or quasi-judicial capacity.

(E) “Government” means the government of this state or any of its political subdivisions.

(F) “Lawful occupation” means a course of conduct, pursuit or profession that includes the sale of goods or services that are not themselves illegal to sell irrespective of whether the individual selling them is subject to an occupational regulation.

(G) “Least restrictive means of furthering a compelling governmental interest” means, from least to most restrictive,

(1) Market competition,

(2) A provision for private civil action in small-claims or district court to remedy consumer harm,

(3) Inspection,

(4) Bonding or insurance,

(5) Registration,

(6) Certification, or

(7) Occupational license.

(H) “Occupational license” is a nontransferable authorization in law for an individual to perform a lawful occupation for compensation based on meeting personal qualifications established by a legislative body. It is illegal for an individual who does not possess an occupational license to perform the occupation for compensation. Occupational licensing is the most restrictive form of occupational regulation.

(I) “Occupational regulation” means a statute, ordinance, rule, practice, policy or other requirement in law that an individual possess certain personal qualification to work in a lawful occupation. It excludes a business license and zoning and land use regulations except to the extent those laws regulate an individual’s personal qualifications to perform a lawful occupation.

(J) “Personal qualifications” are criteria established by a legislative body related to an individual’s personal background including completion of an approved educational program, satisfactory performance on an examination, work experience, criminal history, moral standing and completion of continuing education.

(K) “Registered” is a designated title an individual may use if the individual meets the requirements for registration established by the government or a private registration organization.

(L) “Registration” means a requirement established by a legislative body in which an individual gives notice to the government that may include the individual’s name and address, the individual’s agent for service of process, the location of the activity to be performed, and a description of the service the individual provides. “Registration” does not include personal qualifications but may require a bond or insurance. Upon approval, the individual may use “registered” as a designated title or as part of a designated title. A non-registered individual may not perform the occupation for compensation or use “registered” as a designated title. “Registration” is not transferable. It is not intended to be synonymous with an “occupational license” in this Act or to prohibit the use of private registration.

(M) “Substantial burden” means a requirement in an occupational regulation that imposes significant difficulty or cost on an individual seeking to enter into or continue in a lawful occupation. A substantial burden is a burden that is more than incidental.

Section 3. {Right to engage in a lawful occupation}

(A) An individual has a right to engage in a lawful occupation free from any substantial burden in an occupational regulation unless the government demonstrates

- (1) It has a compelling interest in protecting against present and recognizable harm to the public health or safety, and
- (2) The occupational regulation is the least restrictive means of furthering that compelling interest.

(B) Defense and Relief

- (1) An individual may assert as a defense the right to engage in a lawful occupation in any judicial or administrative proceeding brought by the government to enforce an occupational regulation that violates Section 3, Subsection (A).
- (2) An individual may bring an action for declaratory judgment or injunctive or other equitable relief for a violation of Section 3, Subsection (A) by the government, without regard to the exhaustion of administrative remedies.
- (3) An individual may assert as a defense or bring an action against the enforceability of an occupational regulation, pursuant to Subsections (1) and (2), which is:
 - (a) In law at the effective date of this Act; or
 - (b) Enacted, adopted or amended after the effective date of this Act and does not include in state statute an explicit exemption from this Act.
- (4) An individual who asserts a defense or brings an action under this section has the initial burden of proof that an occupational regulation substantially burdens the individual’s right to engage in a lawful occupation.

(5) If the individual meets the burden of proof under Subsection (4), the government must demonstrate by clear and convincing evidence that the government has a compelling interest in protecting against present and recognizable harm to the public health or safety, and the occupational regulation is the least restrictive means for furthering that compelling governmental interest.

(6) An employer or potential employer may assert the right of an employee or potential employee recognized in Section 3, Subsection (A) by bringing a defense or action under this subsection.

(C) A court shall liberally construe this Act to protect the right established in Subsection (A) of this section. A court shall make its own findings of fact and conclusions of law. It shall not grant any presumption to legislative or administrative determinations of harm to the public health or safety, or that the regulation is the least restrictive means of furthering a compelling governmental interest.

(D) Nothing in this section shall be construed to create a right of action against a private party or to require a private party to do business with an individual who is not licensed, certified or registered with the government.

Section 4. {Federal law's use of state occupational regulations}

(A) Nothing in this Act shall be construed to create a right of action against the federal government for its use of a state occupational regulation in federal law.

Section 5. {Exemption} [Optional]. This Act does not apply to an occupational regulation of an individual who is a [insert type of occupation to be exempted].

Section 6. {Severability Clause}

Section 7. {Repealer Clause}

Section 8. {Effective Date}

DRAFT Temporary Help Unemployment Insurance Act

Summary

This Act requires, as a condition of unemployment benefit eligibility, that temporary employees contact their temporary help employer for new work upon completion of their temporary assignment. The Act also requires that temporary employees be informed of this requirement.

Model Legislation

{Title, Enacting Clause, Etc.}

Section 1. {Definitions} For the purposes of this section:

(A) For the purposes of this section:

(1) "Temporary help firm" means a firm that hires its own employees and assigns them to clients to support or supplement the client's work force in work situations such as employee absences, temporary skill shortages, seasonal workloads, and special assignments and projects.

(2) "Temporary employee" means an employee assigned to work for the clients of a temporary help firm.

Section 2. {Eligibility for Benefits}

(A) A temporary employee of a temporary help firm will be deemed to have voluntarily quit employment if the employee does not contact the temporary help firm for reassignment prior to filing for benefits.

(B) Failure to contact the temporary help firm will not be deemed a voluntary quit unless the claimant has been advised of the obligation to contact the firm upon completion of assignments and that unemployment benefits may be denied for failure to do so.

These model policies received at least 2/3 Executive Committee vote to retain so they will go directly to the ALEC Board for consideration:

Summaries for the below policies are attached.

1 Business Ombudsman Act	2008
2 Constitutional Amendment Restricting the Use of Vehicle Fees and Taxes for Highway Purposes	2008
3 Drunk Driving Prevention Act	2001
4 Ignition Interlock Device Act	2008
5 Public Employee Bargaining Transparency Act	2008
6 Union Financial Responsibility Act	2009
7 Council on Efficient Government Act	2009
8 Free Market Constitutional Amendment	2009
9 Resolution to Support State Efforts to Protect Secret Ballot Elections	2009
10 Resolution on Criminal-Background Checks	2010

These model policies will be voted on by the full Task Force on the following consent slates:

CONSENT SLATE 1

Amendments to full policies are available in Appendix

AMEND - Full Task Force will vote on if these policies will be amended (amendments attached)

11 A Resolution Relating to Residual Markets and Reinsurance Funds	2009
12 Employee Secret Ballot Protection Act	2008
13 Resolution Opposing Increases in Minimum Wage Linked to the CPI	2008
14 Resolution on Occupational Licensing	2008

CONSENT SLATE 2

Summaries for the below policies are attached.

SUNSET - Consent slate to be voted on by full Task Force

15 Automobile Theft Prevention Act	2001
16 Credit Enhancement Loan Act	2008
17 Drug-Free Housing Project	1995
18 Loan Originators Voluntary Registration	2008
19 Mortgage Fraud Act	2008
20 Professional Licensure and Certification Reform Act	2008
21 Suspension of Driving Privileges Act	1995
22 Suspension of Professional Licenses Act	1995
23 A Resolution Opposing a Federal Commission on State Workers' Compensation Laws	2009
24 Recommendation for 2009 Transportation Reauthorization	2009
25 Resolution Opposing Federal Mandates on Unemployment Insurance	2009
26 Resolution Opposing the Transportation Equity for All Americans Act and the Transportation Act for All Americans	2009

Other

Summaries for the below policies are attached.

REFER - These policies were referred to Subcommittee. Subcommittee results will be reported and voted on at Annual Meeting 2013.

27 ALEC Statement of Principles on Toll Roads	2008 Referred to Transportation and Infrastructure Subcommittee to consider at Annual Meeting 2013
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Model Policy Summaries for Sunset Review Process

Model Policies that Received at Least 2/3 Executive Committee Vote to Retain and will go directly to ALEC Board

1. Business Ombudsman Act (2008)

Establishes the position of the Business to work with governmental agencies with respect to comments or complaints made or concerns expressed by businesses regulated or controlled by governmental agencies. This Act also prohibits retaliatory action by governmental agency against business, employee, representative or agent, and requires ombudsman to report annually to Governor and Legislative Assembly.

2. Constitutional Amendment Restricting the Use of Vehicle Fees and Taxes for Highway Purposes (2008)

Restricts the use of license fees for motor vehicles, all excise taxes collected by the state on the sale, distribution, or use of motor fuel, and all other motor vehicle related taxes or fees to be placed in a special fund used exclusively for highway purposes.

3. Drunk Driving Prevention Act (2001)

This bill requires mandatory alcohol education for new drivers; prohibition of open containers of beverage alcohol products in motor vehicles; administrative license revocation penalties for violation of the State's driving under the influence laws, administrative license revocation penalties for persons under 21 years of age for driving with a measurable and detectable alcohol concentration; administrative license revocation for the illegal purchase or possession of alcoholic beverage products by persons under 21 years of age; and mandatory alcohol and drug testing of drivers involved in fatal motor vehicle accidents. This bill also increases penalties for those drivers who are operating a motor vehicle with high breath/blood alcohol concentrations; commit repeated violations of a state's DUI laws; and provides for the use of ignition interlock devices.

4. Ignition Interlock Device Act (2008)

This bill provides for ignition interlock penalties for repeat drunk drivers and those who are found to have driven with a .15 blood alcohol content (BAC) or higher.

5. Public Employee Bargaining Transparency Act (2008)

This model bill opens public-sector collective bargaining sessions and documents to the public.

6. Union Financial Responsibility Act (2009)

The power of workers to make sound decisions concerning their careers, workplace choices, workplace representation, and other areas of importance hinges on a worker's access to useful and relevant information. The legislature finds it is important to ensure public sector workers are provided with useful information concerning their membership in a labor union, through thorough and complete public disclosure of union finances and by protecting a worker's freedom of speech, assembly, and other rights.

7. Council on Efficient Government Act (2009)

This legislation is designed to create a council on efficient government whose purpose is to ensure that each state agency focuses on its core mission and delivers goods and services effectively and efficiently by leveraging resources and contracting with private sector vendors if those vendors can more effectively and efficiently provide goods and services and reduce the cost of government. Additionally, the council is to evaluate for feasibility, cost effectiveness, and efficiency business cases to be outsourced before a state agency proceeds with any outsourcing of goods or services.

8. Free Market Constitutional Amendment (2009)

"It is the policy of the state of _____ that a free enterprise system shall govern trade and commerce in this state to promote the dispersion of economic and political power and the general welfare of all the people."

9. Resolution to Support State Efforts to Protect Secret Ballot Elections (2009)

This Resolution supports the efforts of states to guarantee the right of individuals to vote by a private, secret ballot in elections for public office or ballot measures and in designations or authorizations for employee representation.

10. Resolution on Criminal-Background Checks (2010)

This Resolution supports state laws that require criminal-background checks for certain classifications of public- and private-sector employees, specifically those with significant exposure to high-risk populations or for whom repeated engagement in criminal activity could have a highly detrimental impact, including those working with youth, the elderly, and the disabled; in health-care-related positions; with job responsibilities which involve, in significant part, the operation of over-the-road vehicles; in, or being considered for, safety-sensitive positions; with access to a significant level of cash, negotiable instruments, pharmaceuticals, and/or other valuables; in law enforcement, private-sector security, or defense; in

public-sector positions; for government contractors; and/or with a high degree of trust, responsibility to the public, management authority, confidentiality, access to proprietary information, and/or a nexus to employer or public safety, health, and/or well being.

Consent Slate 1 – These policies would be amended as suggested.

Amendments to full policies are available in Appendix.

11. A Resolution Relating to Residual Markets and Reinsurance Funds (2009)

This Resolution opposes any federal takeover of the reinsurance industry or the creation of any new catastrophic fund of “insurance backstop” that would be in direct competition with insurance or reinsurance provided by the private-sector.

Proposed amendments:

In the seventh whereas clause, strike the words “is approaching \$36 billion” and insert “exceeds \$20 billion.” (Changes to reflect current facts.)

In the eleventh whereas clause, strike “The House of Representatives has passed” and insert “Members of Congress have proposed.”

Strike whereas clause 14, “WHEREAS, the Emergency Economic Stabilization Act has created a mechanism through which the federal government could provide emergency liquidity to private insurers and reinsurers if truly massive catastrophe or series of catastrophes in close conjunction were to bankrupt the entire insurance industry;”

12. Employee Secret Ballot Protection Act (2008)

This Act provides that all qualifying union certification efforts in a state must be approved by a majority of collective bargaining unit employees who vote in a secret-ballot process. The state labor official/agency cannot recognize an exclusive bargaining representative without a majority of secret ballots having first been cast in the affirmative for that exclusive bargaining representative. The Act defines the denial of secret-ballot elections as an unfair labor practice. The Act establishes penalties and remedies for violations of the Act’s provisions.

Proposed Amendments: In section 5 (a), strike “voting.” This amendment is made to call for a majority of members in the bargaining unit, rather than a majority of those voting.

13. Resolution Opposing Increases in Minimum Wage Linked to CPI (2008)

This Resolution opposes increases in the minimum wage and especially those increases that are linked to the CPI. Such action hurts the ability of low skilled, poorly educated workers to expand their capabilities, network and gain work

experience which will aide his or her future employment. In addition, it builds inflation into the economy which hurts consumers; especially low wage consumers.

Proposed Amendments: To reflect current data, strike “In reality, of the approximately 2.7% of U.S. workers that earn the minimum wage, two-thirds (2/3) will earn an increased wage in a year” in the second whereas clause.

14. Resolution on Occupational Licensing (2008)

State legislatures should review current occupational licensing laws in order to establish if the state is better served by a less restrictive means such as voluntary registration and certification or no occupational regulation at all.

Proposed Amendments: Update the 7th Whereas clause with more current data.

Consent Slate 2 – These policies would be allowed to sunset.

15. Automobile Theft Prevention Act (2001)

This Act would establish the Automobile Theft Prevention Authority. The Authority would provide financial support for increased law enforcement and other specified programs to combat automobile theft.

16. Credit Enhancement Loan Act (2008)

An act relating to banking and finance, creating the Credit Enhancement Loan Act; to provide for legislative intent; purposes; definitions; licensing of lenders; penalties for violations; fees payable; requirements necessary for issuance of a license; form and contents of an application; revocation or suspension of a license; amounts of loans and interest rates; prohibition of multiple loans in certain situations; enforcement of loan agreements; disclosure forms for the customer; reporting to credit reporting agencies; requirement of maintenance of financial records by licensees; reports to be filed; cease and desist orders; appeals; non-enforcement of credit enhancement loans; related matters; an effective date and applicability; and for other purposes; providing an effective date.

17. Drug-Free Housing Project (1995)

This Act would allow any individual who rents or leases property to include a stipulation in the lease that any drug violation committed on the premises constitutes grounds for termination of the lease. The Act would require public housing agencies to include a stipulation in their leases that any felony drug violation committed on the premises constitutes grounds for termination of the

lease. The Act would also allow the public housing authority to expedite the standard eviction hearing procedure in cases in which eviction is sought for violation of a drug offense committed on the premises. The Act further extends to landlords a degree of accountability for drug crimes committed in housing premises that they lease.

18. Loan Originators Voluntary Registration (2008)

Establishes an optional loan originator registration program within the Secretary of State's (SOS) Office.

19. Mortgage Fraud Act (2008)

This bill modifies the Criminal Code by creating the crime of mortgage fraud.

20. Professional Licensure and Certification Reform Act (2008)

Limits new proposals to enact an occupational or professional licensure and certifications on a business by the general assembly to those that affect the public health, safety, and welfare; limits new licensures and certifications affecting businesses to those that affect the public health, safety, and welfare.

21. Suspension of Driving Privileges Act (1995)

This Act would require the mandatory suspension of the driver's licenses of all drug offenders for a minimum of six months and a maximum of two years. The courts would be required to notify the department of motor vehicles of all drug convictions.

22. Suspension of Professional Licenses Act (1995)

This Act would require the suspension of designated state awarded professional and/or business licenses of those convicted of any drug offense. The suspension would last for one year, unless the offender enrolls in a treatment program, in which case the court may limit the suspension to the duration of treatment. The Act would require both the courts and the offender to notify the appropriate state licensing boards of all drug convictions. Offenders who do not report their conviction to their licensing board could be subjected to the permanent revocation of their license.

23. A Resolution Opposing a Federal Commission on State Workers' Compensation Laws (2009)

A resolution opposing federal legislative efforts to empower the government to establish a national commission to review and evaluate state workers' compensation laws.

24. Recommendation for 2009 Transportation Reauthorization (2009)

The federal government plays an important role in the operations and maintenance of the United States surface transportation system and must ensure that the system meets national defense needs, addresses fairly and equally the mobility needs of all Americans and facilitates the safe and efficient flow of interstate commerce. As discussion of the 2009 transportation reauthorization begins amidst a recession, it is more important than ever to focus on the importance of the transportation system to the health of the nation's economy and the mobility of its citizens. This Resolution supports the continuation and preservation of a federal-aid surface transportation program. The federal program should direct spending to national priorities while allowing for state, local, and regional area flexibility to meet their needs.

25. Resolution Opposing Federal Mandates on Unemployment Insurance (2009)

This Resolution opposes forcing states, as a condition of federal funding, to change state unemployment laws.

26. Resolution Opposing the Transportation Equity for All Americans Act and the Transportation Act for all Americans (2009)

This Resolution opposes The Transportation Equity for All Americans Act and to the Transportation Access for All Americans Act. The Transportation Equity for All Act would penalize individual states from pursuing public-private partnerships by reducing highway apportionments for those States using public-private partnership concessions. The Transportation Access for All Americans Act would change the tax treatment of brownfield public-private partnership concessions providing a disincentive, in the form of lower values, to states to pursue this form of public-private partnership. Given the significant infrastructure funding gap this nation has, it is surprising that some are advocating disincentives for private infrastructure investment. A state should have the flexibility to determine, for itself, the appropriate model of infrastructure investment.

Other Bills

Summaries for the below policies are attached.

27. ALEC Statement of Principles on Toll Roads (2008)

Supports the use of pricing and advanced technologies on toll roads to reduce highway congestion and states that proceeds from tollways should be dedicated to transportation projects.

Referred to Transportation and Infrastructure Subcommittee to consider at Annual Meeting 2013. Results will be reported and voted on by Task Force.

Appendix: Consent Slate 1 – Proposed Amendments

11. A Resolution Relating to Residual Markets and Reinsurance Funds

WHEREAS, some states have established government-run reinsurance programs (“catastrophe funds”) in an attempt to reduce insurance premiums;

WHEREAS, some states have established government-run residual homeowners’ insurance markets, including “beach plans,” and “wind pools,” and “insurers of last resort” intended to provide high-premium coverage for those unable to obtain coverage otherwise in the private market;

WHEREAS, government-imposed price controls on insurance products make it difficult for many private companies to offer insurance and still meet obligations to shareholders and policyholders;

WHEREAS, state-run insurance companies that offer subsidized insurance products oftentimes fail to meet standards of actuarial adequacy;

WHEREAS, government subsidies and price controls relating to homeowners’ insurance may encourage development in environmentally sensitive locations where it otherwise would not take place;

WHEREAS, the potential liabilities of catastrophe funds and government-run insurance programs imperil the fiscal future of some states, and in the long term states will need to increase taxes or cut services in order to meet these insurance and reinsurance liabilities;

WHEREAS, the current liability in one state alone, Florida, ~~is approaching \$36~~exceeds \$20 billion;

WHEREAS, the recent collapse of municipal debt markets throughout the United States makes it unlikely that states could sell any significant amount of bonds to provide pre-or post-event financing for any event;

WHEREAS, ~~the House of Representatives has passed~~Members of Congress have proposed legislation calling for a national catastrophe fund;

WHEREAS, such a national fund would create taxpayer liability exceeding \$100 billion, and would further displace productive private insurance and reinsurance industry;

WHEREAS, such a system would ultimately create “payer” and “payee” states, since funds would be collected from the states, pooled by the national government, and redistributed, leading to some states subsidizing others;

~~WHEREAS, the Emergency Economic Stabilization Act has created a mechanism through which the federal government could provide emergency liquidity to private insurers and reinsurers if truly massive catastrophe or series of catastrophes in close conjunction were to bankrupt the entire insurance industry;~~

THEREFORE, BE IT RESOLVED, The American Legislative Exchange Council (ALEC) believes risk-based rates for homeowners' insurance determined by market forces and accepted actuarial practice offer the best environment for the mitigation and management of risk.

BE IT FURTHER RESOLVED, ALEC opposes any federal takeover of the reinsurance industry or the creation of any new catastrophic fund of "insurance backstop" that would be in direct competition with insurance or reinsurance provided by the private-sector; and

BE IT FURTHER RESOLVED, ALEC supports mitigation efforts that help homeowners and communities secure themselves against natural disasters; and

BE IT FURTHER RESOLVED, ALEC opposes the use of state residual market insurance plans to provide subsidized coverage intended to compete with the private market.

12. Employee Secret Ballot Protection Act

Summary

This Act provides that all qualifying union certification efforts in a state must be approved by a majority of collective bargaining unit employees who vote in a secret-ballot process. The state labor official/agency cannot recognize an exclusive bargaining representative without a majority of secret ballots having first been cast in the affirmative for that exclusive bargaining representative. The Act defines the denial of secret-ballot elections as an unfair labor practice. The Act establishes penalties and remedies for violations of the Act's provisions.

Model Legislation

[Note: If this model language is used in a state that does not allow public-sector collective bargaining, references to government agencies in Sections 3(B), 3(D), and 12(A) should be removed so that these sections are not interpreted to authorize public-sector bargaining.]

{Title, enacting clause, etc.}

Section 1. {Title.} This Act may be cited as the Employee Secret Ballot Protection Act.

Section 2. {Legislative intent.} It is hereby declared to be the public policy of the State of [state]:

(A.) That individual freedom of choice in employment-related matters be guarded and maintained;

(B.) That employees have the right to use a secret-ballot election when selecting an exclusive bargaining representative;

(C.) That a secret-ballot election upholds the sanctity of worker free choice;

(D.) That employees be given the opportunity to cast a vote in accordance with their conscience in secret-ballot elections, free from coercion, intimidation, threats, misinformation, or interference from outside influences.

(E.) That a labor organization not be able to pressure an employer to recognize the labor organization as an exclusive bargaining representative based solely on a stated showing of interest by employees without a secret-ballot election; and,

(F.) That an employer not bargain away its employees' rights to secret-ballot elections for labor representation purposes.

Section 3. {Definitions.} For the purposes of this Act:

(A.) "Labor organization" means an employee representation committee, organization, or union in which employees participate and which exists for the purpose, in whole or in part, of dealing with an employer concerning employee wages, rates of pay, hours of work, other forms of compensation, grievances, labor disputes, or other conditions of employment.

(B.) "Employer" means any agency, as defined in this Act, or any group or association of employers which is an employer within the meaning of any law of the State of [state] or of the United States, but does not include the United States or any corporation wholly owned by the Government of the United States.

(C.) "Employee" means any individual employed by an employer.

(D.) "Agency" means every governmental subdivision, every district, every public and quasi-public corporation, every public agency and public service corporation, and every town, city, county, city and county and municipal corporation, whether incorporated or not and whether chartered or not, of the State of [state].

(E.) "Secret ballot" means the expression by ballot or voting machine, but in no event by proxy, of a choice with respect to any election or vote taken upon any matter, which is

cast in such a manner that the person expressing such choice cannot be identified with the choice expressed.

(F.) “Exclusive bargaining representative” means any labor organization that has been selected or designated by the [state official/agency] pursuant to the provisions of [insert applicable state labor law] as the representative of the employees in an appropriate collective bargaining unit to represent the employees in their employment relations with employers.

(G.) “[State official/agency]” means [insert the official or agency designated to administer this Act].

(H.) “[Court of jurisdiction]” means [insert the court designated as the appropriate court in which to bring actions under this Act].

Section 4. {Employee right to secret ballot.}

(A.) All employees, when seeking to select for themselves an exclusive bargaining representative, have the right to make that selection in a secret-ballot election.

(B.) Any agreement, understanding, or practice, written or oral, implied or expressed, between any labor organization and employer that violates the rights of employees as guaranteed by provisions of this Act is hereby declared to be unlawful, null and void, and of no legal effect. Any strike, picketing, boycott, or other action by a labor organization for the sole purpose of inducing or attempting to induce an employer to enter into any agreement prohibited under this Act is hereby declared to be for an illegal purpose and is a violation of the provisions of this chapter.

Section 5. {Procedures for the [state official/agency].}

(A.) The [state official/agency] shall recognize a labor organization as the exclusive bargaining representative only after a majority of ~~voting~~ employees in the collective bargaining unit have indicated their affirmative approval of that recognition through the use of secret ballots in an election.

(B.) The [state official/agency] shall administer the election pursuant to the provisions of [insert applicable state labor law].

Section 6. {Denial of secret-ballot elections deemed an unfair labor practice.}

(A.) It shall be an unfair labor practice by the employer to dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it or to recognize or bargain collectively with a labor organization that has not been selected by a majority of such employees in a secret-ballot election conducted by the [state official/agency] in accordance with [applicable state labor law].

(B.) It shall be an unfair labor practice by the labor organization to cause or attempt to cause an employer to recognize or bargain collectively with a representative of a labor organization that has not been selected by a majority of such employees in a secret-ballot election conducted by the [state official/agency] in accordance with [applicable state labor law].

(C.) Any employee may file an unfair labor practice complaint pursuant to this section with the [state official/agency] in accordance with [existing, applicable state labor law regarding unfair labor practices].

Section 7. {Coercion and intimidation prohibited.} It shall be unlawful for any person, labor organization, or officer, agent or member thereof, or employer, or officer thereof, by any threatened or actual intimidation of an employee or prospective employee, or an employee's or prospective employee's parents, spouse, children, grandchildren, or any other persons residing in the employee's or prospective employee's home, or by any damage or threatened damage to an employee's or prospective employee's property, to compel or attempt to compel such employee to join, affiliate with, or financially support a labor organization or to refrain from doing so, or otherwise forfeit any rights as guaranteed by provisions of this chapter. It shall also be unlawful to cause or attempt to cause an employee to be denied employment or discharged from employment because of support or nonsupport of a labor organization by inducing or attempting to induce any other person to refuse to work with such employees.

Section 8. {Penalties.} Any person who directly or indirectly violates any provision of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine not exceeding [insert amount] or imprisonment for a period of not more than [insert time period], or both such fine and imprisonment.

Section 9. {Civil remedies.}

(A.) Any employee harmed as a result of any violation or threatened violation of the provisions of this chapter shall be entitled to relief, including injunctive relief, in the [court of jurisdiction] against any and all violators or persons threatening violations and may in addition thereto recover any and all damages, including costs and reasonable attorney fees, of any character resulting from such violation or threatened violation. Such remedies shall be independent of and in addition to the penalties and remedies prescribed in other provisions of this chapter.

(B.) Any such legal action against a labor organization shall be brought in the [court of jurisdiction] where the alleged violation occurred or where the labor organization maintains its principal office.

Section 10. {Duty to investigate.} It shall be the duty of [the prosecuting attorneys of each county or the attorney general of this state] to investigate complaints of violation or threatened violations of this chapter, to prosecute all persons violating any of its provisions, and to take all means at their command to ensure its effective enforcement.

Section 11. {Prospective application.} This Act shall not apply to collective bargaining relationships in which a labor organization was lawfully recognized as an exclusive bargaining representative before the date of the enactment of this Act.

Section 12. {Federal preemption.} This Act shall apply to:

(A.) Employers that are agencies; and,

(B.) All other employers in the State of [state] that are not subject to the National Labor Relations Act or any other applicable federal labor laws. To the extent that federal law governs employment matters, this Act shall be invalid.

Section 13. {Severability clause.}

Section 14. {Repealer clause.}

Section 15. {Effective date.}

Adopted by the Commerce, Insurance and Economic Development Task Force at the Spring Task Force Summit, May 16, 2008. Approved by the full ALEC Legislative Board June 2008

13. Resolution Opposing Increases in Minimum Wage Linked to the CPI

WHEREAS, for most Americans minimum wage is entry level pay and not a way of life; it is an opportunity to learn valuable on the job training skills and to gain work experience;

WHEREAS, many politicians incorrectly paint a picture that minimum wage workers are in a perpetual state and only government control of the economy will save them. ~~In reality, of the approximately 2.7% of U.S. workers that earn minimum wage, two thirds (2/3) will earn an increased wage within a year;~~

WHEREAS, the federal government has set a price floor for labor with future planned increases which has already contributed to the worsening of our economy and unemployment statistics;

WHEREAS, most minimum wage earners are students, retired persons, or second income earners who do not rely on their wages to live;

WHEREAS, the fact that relatively so few workers in the U.S. earn minimum wage is actually an indication that the law of supply and demand in the labor market is working very well;

WHEREAS, many employers are forced to adjust to mandated salary increases by making staffing decisions that disproportionately hurt low skilled workers. Workers may lose on-the-job training opportunities, income, and experience greater unemployment due to employers leaving jobs vacant, reducing hours, forgoing raises, and laying off workers;

WHEREAS, increasing the minimum wage creates a compression effect on the wages of better skilled workers with which employers are left to struggle.

WHEREAS, some states go beyond the federal wage and attempt to offset inflation by linking minimum wage to the Consumer Price Index (CPI); as the CPI rises, the state's minimum wage goes up accordingly;

WHEREAS, constantly increasing the minimum wage by indexing to the Consumer Price Index (CPI) does nothing to increase the low skilled worker's real earning power beyond their current skill level. It does nothing to help them become more valuable workers so that an employer is willing to pay more for their labor;

WHEREAS, CPI is a measure of the rise or fall in prices of commonly used goods and services as compared to a benchmark year; higher wages are detected by CPI in the price increases of these goods and services;

WHEREAS, indexing the wage to CPI uses circular reasoning and creates additional inflation in the economy;

WHEREAS, for such states, forced wage increases produce higher labor costs, which translate into higher product prices, thus a higher CPI results, thereby triggering another increase in minimum wage - this effect is circular and compounding;

WHEREAS, economist Michael Boskin and his colleagues argue that the CPI suffers from quality and new product bias, as a result the index overstates inflation and increases the cost of living;

WHEREAS, the best government policies to aid low wage workers do not ask any one individual employer to make the sacrifice, leave employers free to make wage decisions based on market conditions, and creates a better educated employee which ultimately saves labor training costs thus saving consumers money;

Now therefore be it resolved, the American Legislative Exchange Council (ALEC) opposes increases in the minimum wage and especially those increases that are fraudulently linked to the CPI. Such action hurts the ability of low skilled, poorly educated workers to expand their capabilities, network and gain work experience which will aide his or her future employment. In addition, it builds inflation into the economy which hurts consumers; especially low wage consumers.

Adopted by the Civil Justice Task Force on August 1, 2008.

Approved by the ALEC Legislative Board on September 11, 2008

14. Resolution on Occupational Licensing

WHEREAS, the members of the American Legislative Exchange Counsel (ALEC) oppose unnecessary and burdensome government regulations on commerce and individual citizens, and;

WHEREAS, ALEC opposes the implementation of occupational licenses, certifications, and or registrations unless needed to protect immediate health, safety, or welfare of the public, and;

WHEREAS, ALEC believes reducing occupational licensing requirements will increase economic prosperity and employment in the states, and;

WHEREAS, due to restrictive licensure requirements, states own the working “title” of hundreds of simple occupations thereby preventing individuals with on the job training, natural talent, honed skills, and formal education from using a job title without state approval, and;

WHEREAS, licensing requirements are often of little use to consumers and are instead used by private-sector entities to gain a competitive advantage through government intervention, and;

WHEREAS, many current types licensure should be made optional rather than mandatory as this may provide a competitive advantage for businesses who choose licensure while reducing costs for consumers, and;

WHEREAS, by restricting competition, licensing decreases the rate of job growth across the nation by an average of [insert updated figures] ~~20 percent~~. The total cost of licensing regulations in the United States is estimated at between [insert updated figures] ~~\$34.8 to \$41.7 billion~~ per year. In addition, by providing protection from competition, occupational regulation stifles innovation and entrepreneurship, thereby suppressing future economic growth, and;

WHEREAS, licensing requirements often create a burdensome barrier of entry for many individuals and often needlessly prevent individuals with criminal convictions, unrelated to the profession they are seeking to be licensed in and which pose little risk to the public, from working in their chosen field, and;

WHEREAS, ALEC supports the entrepreneurial spirit of Americans and their right to seek economic liberty and improve their standard of living;

NOW THEREFORE BE IT RESOLVED, state legislatures should review current occupational licensing laws in order to establish if commerce is better served by a less restrictive means such as voluntary registration and certification or no occupational regulation at all, and;

BE IT FURTHER RESOLVED, State legislatures should study the following criteria;

1. If state licensure requirements are overly restrictive and burdensome.
2. If costs to consumers are unnecessarily increased.
3. If licensure test questions and continuing education requirements are logical or relevant, and that they examine the rate of passage or failure.
4. How state employment is impacted by licensure requirements.
5. Consumer complaints and the enforcement activity of the board or commission.
6. If a less restrictive form of regulation, or no regulation would better serve the public.

Adopted by the Commerce, Insurance and Economic Development Task Force at the Spring Task Force Summit, May 16, 2008. Approved by the full ALEC Legislative Board June 2008.

ATTENDEE REGISTRATION/HOUSING FORM

40th Annual Meeting
August 7 – August 9



Early registration deadline: June 19, 2013
Standard registration deadline: July 17, 2013
Housing Cut-off deadline: July 17, 2013

The Palmer House Hilton
17 East Monroe Street • Chicago, IL 60603

Online
www.alec.org

Fax (credit cards only)
202.331.1344

Phone / Questions • Mon-Fri, 9am-5:00 pm EST
571-482-5056

ATTENDEE INFORMATION

Prefix (required) ☐ Sen ☐ Rep ☐ Del ☐ Mr ☐ Mrs ☐ Ms ☐ Other _____
Last Name _____ First Name _____ Middle Initial _____ Badge Nickname _____
Title _____
Organization (required) _____
Primary Address ☐ Business ☐ Home _____
City _____ State/Province _____ Country _____ ZIP/Postal code _____
Daytime phone _____ Fax _____ Alternate phone _____
Email (confirmation will be sent by email) _____
Emergency Contact Name _____ Day Phone _____ Evening Phone _____
Dietary Restrictions _____
☐ This is my first time attending an ALEC event.

*Spouse / Guest/Kids' Congress: If registering a spouse or guest, please complete the spouse/guest registration form

REGISTRATION INFORMATION

** Please note that member fees are subject to verification

	EARLY ending June 19	STANDARD ending July 17	ON-SITE beginning July 18	DAILY
<input type="checkbox"/> ALEC Legislative Member	\$475	\$575	\$675	\$295
<input type="checkbox"/> Legislator / Non-Member	\$575	\$675	\$725	\$395
<input type="checkbox"/> ALEC Private Sector Member	\$840	\$930	\$1099	\$595
<input type="checkbox"/> Private Sector / Non-Member	\$975	\$1065	\$1350	\$695
<input type="checkbox"/> ALEC Non-Profit Member (501(c)(3) status required)	\$610	\$685	\$760	\$395
<input type="checkbox"/> Non-Profit Non-Member (501(c)(3) status required)	\$725	\$800	\$875	\$495
<input type="checkbox"/> Legislative Staff / Government	\$650	\$750	\$900	\$495
<input type="checkbox"/> ALEC Alumni	\$525	\$625	\$725	\$345
<input type="checkbox"/> ALEC Legacy Member	\$0	\$0	\$0	\$0

REGISTRATION FEES: \$ _____

METHOD OF REGISTRATION PAYMENT

Credit Card: Credit cards will be charged immediately. Please fax to the above number for processing.

☐ Amer Express ☐ Visa ☐ MasterCard

Card # _____

Cardholder (please print) _____

Exp Date (mm/yy) _____ Security Code _____

Signature _____

Note: Registration forms with enclosed payments must be received by 5pm EST on the following dates to be eligible for discounted registration rates: June 19, 2013, for early registration rates, or July 17, 2013, for standard registration rates. Forms and/or payments received after July 17, 2013 will be subject to the on-site registration rate.

REGISTRATION CONFIRMATION INFORMATION

Online registrants will receive immediate email confirmation. If registering by form, confirmation will be emailed, faxed, or mailed within 72 hours of receipt of payment.

REGISTRATION CANCELLATION / REFUND INFORMATION

Registrations cancelled prior to 5:00pm EST July 17, 2013 are subject to a \$100 cancellation fee. Registrations are non-refundable after 5:00pm EST July 17, 2013. All refund requests must be made in writing and sent via email to meetings@alec.org. Registration fees may be transferred from one registrant to another. Please send a transfer request in writing via email to meetings@alec.org.

HOUSING

RESERVATION CUTOFF FOR ALEC DISCOUNTED RATE IS 5pm EST July 17, 2013

The Palmer House Hilton

Arrival Date _____ Departure Date _____

Sharing with: (Maximum 4 guests per room)

Room Rates

<input type="checkbox"/> Single	\$189
<input type="checkbox"/> Double	\$189
<input type="checkbox"/> Triple	\$214
<input type="checkbox"/> Quad	\$239

Special requests

☐ ADA room required:
____ Audio ____ Visual ____ Mobile
☐ Rollaway / crib: _____
☐ Other: _____

All rates DO NOT include state and local tax currently 16.40% (subject to change)

Credit Card Information/ Reservation Guarantee

Credit Card information is required at time of reservation to guarantee the reservation. Card must be valid through August 2013

☐ Please use the same credit card information as above.

☐ Amer Express ☐ Visa ☐ MasterCard ☐ Discover

Card # _____

Cardholder (please print) _____

Exp Date (mm/yy) _____ Security Code _____

Signature _____

Note: Cutoff for reservations at the ALEC rate is July 17, 2013. After July 17, 2013 every effort will be made to accommodate new reservations, based on availability and rate.

HOUSING CONFIRMATION INFORMATION

Online reservations will receive immediate email confirmation. Reservations received by form will be confirmed via email, fax, or mail within 72 hours of receipt.

HOUSING CANCELLATION / REFUND INFORMATION

Cancellations made within 24 hours of arrival will forfeit one night's room and tax. All changes and/or cancellations must be made directly with the hotel. Please obtain a cancellation number when your reservation is cancelled.

SPOUSE / GUEST / KIDS' CONGRESS REGISTRATION FORM

40th Annual Meeting
August 7 – August 9

Early registration deadline: June 19, 2013
Standard registration deadline: July 17, 2013

The Palmer House Hilton
17 East Monroe Street • Chicago, IL 60603



Online
www.alec.org

Fax (credit cards only)
202.331.1344

Phone / Questions • Mon-Fri, 9am-5:00 pm EST
571-482-5056

IMPORTANT: Please identify the ALEC attendee

ALEC ATTENDEE Profile Information

First Name _____ Last Name _____
Daytime Phone _____
Email (Confirmation will be sent by email) _____

SPOUSE / GUEST / KIDS' CONGRESS Registration Fees	(#) x	EARLY ending June 19	STANDARD ending July 17	ON-SITE beginning July 18	DAILY	Amount
A. Spouse / Guest / Child 18 yrs or older	() x	\$150	\$150	\$150	n/a	= \$ _____
B. Kid's Congress (6 months to 17 yrs) for ALEC Members Full Conference Rate	() x	\$250	\$350	\$550	n/a	= \$ _____
C. Kid's Congress (6 months to 17 yrs) for Non-ALEC Members Full Conference Rate	() x	\$350	\$450	\$650	n/a	= \$ _____
D. Kid's Congress (6 months to 17 yrs) Day rate: Wed., Thurs., or Fri.	() x	\$150	\$150	\$250	n/a	= \$ _____

SPOUSE / GUEST / KID'S REGISTRATION FEE(S) TOTAL \$ _____

Spouse / Guest / Child Names Please list the names of the spouse / guest / children below

Spouse / Guest / Child Name	Child Date of Birth	Registration Type A,B,C,D (above)	Spouse / Guest / Child Name	Child Date of Birth	Registration Type A,B,C,D (above)
1. _____	_____	_____	5. _____	_____	_____
2. _____	_____	_____	6. _____	_____	_____
3. _____	_____	_____	7. _____	_____	_____
4. _____	_____	_____	8. _____	_____	_____

Payment Information

Credit Card: Credit cards will be charged immediately. Please fax to the above number for processing.

☐ American Express Card # _____
☐ Visa Cardholder (please print) _____
☐ MasterCard Exp Date (mm/yy) _____ Security Code _____
Signature _____

Check / money order: Payment must be in U.S. currency drawn on a U.S. bank. Please make check payable to ALEC Registration and send to above address.

Note: Registration forms with enclosed payments must be received by 5pm EST on the following dates to be eligible for discounted registration rates: June 19, 2013, for early registration rates, or July 17, 2013, for standard registration rates. Forms and/or payments received after July 17, 2013 will be subject to the on-site registration rate.

Confirmation Information

Online registrants will receive immediate confirmation via email. If registering by written form, confirmation will be emailed (if address provided), faxed, or mailed within 72 hours of receipt of payment.

Cancellation / Refund Information

Registrations cancelled prior to 5:00pm EST July 17, 2013 are subject to a \$100 cancellation fee. Registrations are non-refundable after 5:00pm EST July 17, 2013. All refund requests must be made in writing and sent via email to meetings@alec.org.

REIMBURSEMENT POLICY BY MEETING

ALEC Spring Task Force Summit:

1. ***Spring Task Force Summit Reimbursement Form:*** ALEC Task Force Members are reimbursed by ALEC up to a predetermined set limit for travel expenses. Receipts must be forwarded to the ALEC Policy Coordinator and approved by the Director of Policy.
2. ALEC Task Force Members' room & tax fees for a two-night stay are covered by ALEC.
3. *Official Alternate Task Force Members* (chosen by the State Chair and whose names are given to ALEC more than 35 days prior to the meeting to serve in place of a Task Force Member who cannot attend) are reimbursed in the same manner as Task Force Members.
4. ***State Reimbursement Form:*** Any fees above the set limit, or expenses other than travel and room expenses can be submitted by Task Force Members for payment from their state reimbursement account upon the approval of the State Chair. Receipts must be submitted to the State Chair, who will submit the signed form to the Director of Membership.
5. *Non-Task Force Members* can be reimbursed out of the state reimbursement fund upon State Chair approval. Receipts must be submitted to the State Chair, who will submit the appropriate signed form to the Director of Membership.

ALEC Annual Meeting:

State Reimbursement Form: State reimbursement funds are available for reimbursement by approval of your ALEC State Chair. Expenses are reimbursed after the conference, and may cover the cost of travel, room & tax, and registration. Receipts are to be submitted to the State Chair, who will then submit the signed form to the Director of Membership.

ALEC States & Nation Policy Summit:

1. ***States & Nation Policy Summit Reimbursement Form:*** ALEC offers two scholarships per state to cover the cost of travel, room & tax, and registration not to exceed \$1,000.00 per person for a total of \$2,000.00 per state. ALEC scholarship recipients must be named by the ALEC State Chair. Expenses are submitted to the State Chair and reimbursed after the conference. The State Chair submits the signed form to the Director of Membership.
2. ***State Reimbursement Form:*** Any other fees or payments must come out of the state reimbursement account, with the approval of the State Chair. Receipts must be submitted to the State Chair, who submits the signed form to the Director of Membership.

ALEC Academies:

Academy Reimbursement Form: Attendees of ALEC Academies are reimbursed by the Task Force Committee hosting the Academy. Attendees will receive a form at the Academy, and will be reimbursed up to \$500.00 for travel, and room & tax fees for a two-night stay by ALEC. Receipts must be forwarded to the appropriate Task Force Director and approved by the Director of Policy.



American Legislative Exchange Council TASK FORCE OPERATING PROCEDURES

I. MISSION OF TASK FORCES

Assume the primary responsibility for identifying critical issues, developing ALEC policy, and sponsoring educational activities which advance the Jeffersonian principles of free markets, limited government, federalism, and individual liberty. The mission will be accomplished through a non-partisan, public and private partnership between ALEC's legislative and private sector members in the specific subject areas assigned to the Task Force by the Legislative Board of Directors.

II. TASK FORCE RESPONSIBILITIES

- A. Task Forces have the primary responsibility for identifying critical issues and developing ALEC's official policy statements and model legislation appropriate to the **specific subject areas** of the Task Force.
- B. Task Forces serve as forums for an exchange of ideas and sharing of experiences between ALEC's state legislator and private sector members.
- C. Task Forces are responsible for developing and sponsoring the following educational activities appropriate to the specific subject area of the Task Force:
 - publications that express policy positions, including, but not limited to State Factors and Policy Briefs;
 - educational communication and correspondence campaigns;
 - issue specific briefings, press conferences and press campaigns;
 - witness testimony and the activities of policy response teams;
 - workshops at ALEC's conferences; and
 - specific focus events.
- D. The Executive Director is to develop an **annual budget**, which shall include expenses associated with Task Force meetings and educational activities. A funding mechanism to finance all meetings and educational activities proposed by Task Forces must be available before they can be undertaken.

III. GENERAL PROCEDURES

- A. Requests from ALEC members for policy statements, model legislation and educational activities shall be directed by the Executive Director to the appropriate Task Force, or the Legislative Board of Directors if the issue does not fall within the **jurisdiction** of any Task Force. The appropriate Public and Private Sector Task Force Co-Chairs determine the agenda for each Task Force meeting, and the meetings will be called and conducted in accordance with these Operating Procedures.

The Director of Policy with the consent of the Executive Director assigns a model bill or resolution to the most appropriate Task Force based on Task Force content and prior jurisdictional history 35 days before a Task Force Meeting. All Task Force Co-Chairs will be provided an email or fax summary of all **model bills and resolutions 35 days before** the Task Force meeting

If both the Co-Chairs of a Task Force are in agreement that they should have jurisdiction on model legislation or a resolution, the legislation or resolution will be considered by the Task Force. If the other Task Force Co-Chairs believe they should have jurisdiction or if the author of the model bill or resolution does not agree on the jurisdictional assignment of the bill, they will have **10 days after the 35-day mailer deadline** to submit in writing or by electronic appeal to the Director of Policy their intent to challenge the jurisdiction assignment. The Director of Policy will notify the Executive Director who will in turn notify the National Chair and the Private Enterprise Advisory Council Chair. The National Chair and the Private Enterprise Advisory Council Chair will in turn refer the matter in question to the Legislative Board of Directors Task Force Board Committee. The Director of Policy will establish a conference call for the Task Force Board Committee co-chairs, the author, the affected Task Force Co-Chairs and the Director of Policy at a time convenient for all participants.

The Task Force Board Committee Co-Chairs shall listen to the jurisdictional dispute by phone or in person within 10 days of the request. If both Task Force Board Committee Co-Chairs are in agreement that the Director of Policy made an incorrect jurisdictional referral, only then will the model bill or resolution be reassigned to a committee as they specify once agreed upon by the **National Chair and the Private Enterprise Advisory Council Chair**. The bill or model resolution is still eligible to be heard in whatever Task Force it is deemed to be assigned to as if submitted to the correct Task Force for the 35-day mailer. The National Chair and the Private Enterprise Advisory Council Chair decision is final on this model bill or resolution.

Joint referral of model legislation and/or resolutions are allowed if all the affected Task Force Co-Chairs agree. All model legislation and resolutions that have been referred to, more than one Task Force must pass the identical language in both Task Forces within two consecutive Task Force meetings. It is at the Task Force Co-Chairs discretion how they will handle the hearings of the model legislation or resolution. Both sets of co-chairs have the ability to call a

working group, subcommittee, or simply meet consecutively or concurrently if necessary.

If the Task Force co-chairs both agree to waive jurisdiction, they may do so as long as another Task Force still has jurisdiction.

The National Chair and the Private Enterprise Advisory Council Chair will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Advisory Council Chair.

- B. **The National Chair and the Private Enterprise Advisory Council Chair** will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.
- C. **The Legislative Board of Directors** shall have ultimate authority over Task Force procedures and actions including the authority to create, to merge or to disband Task Forces and to review Task Force actions in accordance with these Operating Procedures. Nothing in these Operating Procedures prohibits the Legislative Board of Directors from developing ALEC policy; however, such a practice should be utilized only in exceptional circumstances. Before the policy is adopted by the Legislative Board of Directors, it should be sent to the Public and Private Sector Task Force Co-Chairs under whose jurisdiction the matter falls for review and comment back to the Legislative Board of Directors.
- D. The **operating cycle of a Task Force** is two years. A new operating cycle begins on January 1 of each odd numbered year and ends on December 31 of the following even numbered year. Task Force activities shall be planned and budgeted on an annual basis within each two-year operating cycle.
- E. If a Task Force is **unable to develop an operating budget**, the Legislative Board of Directors will determine whether to continue the operations of the Task Force. This determination will be made according to: (1) the level of

membership on the Task Force, and (2) the need for continued services developed by the Task Force for ALEC.

- F. **The Legislative Board of Directors** shall have the authority to allocate limited general support funds to finance the annual operating budget of Task Forces that meet the requirements prescribed in Section III (E). The Executive Director shall determine, and report to the Legislative Board of Directors, the amount of general support funds available to underwrite such Task Forces.

IV. MEMBERSHIP AND MEMBER RESPONSIBILITIES

- A. The membership of a Task Force consists of legislators who are members in good standing of ALEC and are duly appointed to the Task Force, in accordance with Section VI (A) and private sector organizations that are full members of ALEC, contribute to the assessment for the Task Force operating budget, and are duly appointed to the Task Force, in accordance with Section VI (B). Private sector organizations that were full members of ALEC and contributed the assessment for the Task Force's operating budget in the previous year, can be appointed to the Task Force for the current year, conditional upon renewal of full ALEC membership and receipt of the current year's assessment for the Task Force operating budget prior to March 31st, unless an alternative date has been approved by the Executive Director.
- B. Each Task Force shall have least two **Co-Chairs**; a Public Sector Task Force Co-Chair and a Private Sector Task Force Co-Chair. The Public Sector Task Force Co-Chair must be a member of the Task Force and appointed in accordance with Section VI (A). The Private Sector Co-Chair must represent a private sector member of the Task Force and be appointed in accordance with Section VI(B). The Co-Chairs shall be responsible for:
- (1) calling the Task Force and the Executive Committee meetings to order, setting the agenda and co-chairing such meetings;
 - (2) appointing and removing legislators and private sector members to and from the Task Force Executive Committee and subcommittees;
 - (3) creating subcommittees, and determining each subcommittee's mission, membership limit, voting rules, deadlines, and term of service; and
 - (4) selecting Task Force members to provide support for and against Task Force policies during formal Board reviews.
 - (5) Reviewing bills that are approaching the five year Sunset as specified in Section
- C. Each Task Force shall have an **Executive Committee** appointed by the Public and Private Sector Task Force Co-Chairs that is appropriate in number to carry out the work product and strategic plan of ALEC and the Task Force. The

Executive Committee shall consist of the Public Sector Task Force Co-chair, the Private Sector Task Force Co-Chair, the subcommittee co-chairs, and the remainder will be an equal number of legislative and private sector Task Force members. The Executive Committee will be responsible for determining the operating budget and proposing plans, programs and budgets for the succeeding year in accordance with (Section V (B)); determining if a proposed educational activity conforms to a previously approved model bill, resolution or policy statement in accordance with (Section IX (F)); and determining if an emergency situation exists that justifies waiving or reducing appropriate time limits in accordance with (Section VIII (H)).

- D. Each Task Force may have any number of **subcommittees**, consisting of Task Force members and advisors to focus on specific areas and issues and make policy recommendations to the Task Force. The Task Force Co-chairs, shall create subcommittees and determine each subcommittee's mission, membership limit, voting rules, deadlines, and term of service. Any model bill, resolution or policy statement approved by a subcommittee must be approved by the Task Force and the Legislative Board of Directors before it can be considered official ALEC policy.
- E. Each Task Force may have advisors, appointed in accordance with Section VI (G). **Advisors** shall assist the members and staff of the Task Force. They shall be identified as advisors on official Task Force rosters, included in all official Task Force mailings and invited to all Task Force meetings. Advisors may also have their expenses paid at Task Force meetings covered by the Task Force operating budget with the approval of the Task Force Co-Chairs. An advisor cannot be designated as the primary contact of a private sector Task Force member, cannot be designated to represent a private sector Task Force member at a Task Force, Executive Committee, or subcommittee meeting, and cannot offer or vote on any motion at a Task Force, Executive Committee, or subcommittee meeting.

V. Task Force Budgets

- A. Each Task Force shall develop and operate a yearly budget to fund meetings.
- B. The **operating budget** shall be used primarily to cover expenses for Task Force meetings, unless specific funds within the budget are authorized for other use by the Task Force. The operating budget shall be assessed equally among the private sector members of the Task Force. The Executive Director, in consultation with the Task Force Co-Chairs shall determine which costs associated with each meeting will be reimbursed from the operating budget. Any funds remaining in a Task Force's operating budget at the end of a year are transferred to ALEC's general membership account.
- C. The operating budget shall not be used to cover Task Force meeting expenses associated with **alternate task force members'** participation, unless they are

appointed by their State Chair to attend the Spring Task Force Summit with the purpose to serve in place of a Task Force Member who is unable to attend. Task Force meeting expenses of alternate task force members shall be covered by their state's scholarship account.

- D. The **programming budget** shall be used to cover costs associated with educational activities. Contributions to the programming budget are separate, and in addition to operating budget contributions and annual general support/membership contributions to ALEC. The Executive Director shall determine the contribution required for each educational activity.

VI. PROCESS FOR SELECTING TASK FORCE MEMBERS, CHAIRS, COMMITTEES AND ADVISORS

VI. PROCESS FOR SELECTING TASK FORCE MEMBERS, ALTERNATES, TEMPORARY ALTERNATES, CHAIRS, COMMITTEES AND ADVISORS

- A. Prior to February 1 of each odd-numbered year, the current and immediate past National chairman will jointly select and appoint in writing three legislative Task Force Members and up to five Alternate Legislative Members who will serve for the current operating cycle, after receiving nominations from ALEC's Public and Private State Chairs, the Executive Director and the ALEC Public and Private Sector members of the Board. At any time during the year, the National Chairman may appoint in writing new legislator members to each Task Force, except that no more than three legislators from each state may serve as members of any Task Force, no legislator may serve on more than one Task Force and the **appointment cannot be made earlier than thirty days** after the new member has been nominated. The Temporary Alternate appointment is the only exception. Each state has one temporary alternate position available for each Task Force. No less than seven days prior to the Task Force Meeting, the State Chair may submit a Temporary Alternate appointment in writing to the Task Force Director. The Temporary Alternate does not have permanent status on the Task Force and may not introduce legislation. The appointment ends at the adjournment of the Task Force Meeting. In an effort to ensure the nonpartisan nature of each Task Force, it is recommended that no more than two legislators of any one political party from the same state be appointed to serve as members of any Task Force. A preference will be given to those ALEC legislator members who serve on or chair the respective Committee in their state legislature.
- B. Prior to January 10 of each odd-numbered year, the current and immediate past National Chair will jointly select and appoint in writing **the Task Force Chair** who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Chair and may be placed in rank order prior to transmittal to the Executive Director no later than December 1 of each even-numbered year. No more than

five names may be submitted in nomination by the outgoing Task Force chair. The current and immediate past National Chairs will jointly make the final selection, but should give strong weight to the recommendations of the outgoing Task Force Chair. In an effort to empower as many ALEC leaders as possible, State Chairs and members of the Legislative Board of Directors will not be selected as Task Force Chairs. Task Force Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past National Chairs may reappoint a Task Force Chair to a second operating cycle term.

- C. Prior to February 1 of each odd numbered year, the Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members of the **Task Force Executive Committee**, who will serve for the current operating cycle. The Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members and advisors to any subcommittee.
- D. Prior to February 1 of each year, the Private Enterprise Advisory Council Chair and the immediate past Private Enterprise Advisory Council Chair will select and appoint in writing the private sector members to the Task Force who will serve for the current year. The appointment letter shall be mailed to the individual designated as the primary contact for the private sector entity. At any time during the year, the Chair of the Private Enterprise Advisory Council may appoint in writing **new private sector members** to each Task Force, but no earlier than thirty days after the new member has qualified for full membership in ALEC and contributed the assessment for the appropriate Task Force's operating budget.
- E. Prior to January 10 of each odd-numbered year, the Chair of the Private Enterprise Advisory Council and the immediate past Private Enterprise Advisory Council Chair will select and appoint in writing the **Task Force Private Sector Co-Chair** who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Private Sector Chair and may be placed in rank order prior to transmittal to the Chair of the Private Enterprise Advisory Council. The Chair and the immediate past Chair of the Private Enterprise Advisory Council will make the final selection, but should give strong weight to the recommendations of the outgoing Private Sector Task Force Co-Chair. In an effort to empower as many ALEC private sector members as possible, Private Enterprise State Chairs and members of the Private Enterprise Advisory Council will not be selected as Private Sector Task Force Co-Chairs. Private Sector Task Force Co-Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past Chair of the Private Enterprise Advisory Council may reappoint a Task Force Private Sector Chair to a second operating cycle term.

- F. Prior to February 1 of each odd-numbered year, the Task Force Private Sector Co-Chair will select and appoint in writing the **private sector members of the Task Force Executive Committee**, who will serve for the current operating cycle. The Task Force Private Sector Co-Chair shall select and appoint in writing the private sector members of any subcommittees.
- G. The Public and Private Sector Task Force Co-Chairs, may jointly appoint subject matter experts to serve as **advisors** to the Task Force. The National Chair and the Private Enterprise Advisory Council Chair may also jointly recommend to the Task Force Co-Chairs subject matter experts to serve as advisors to the Task Force.

VII. REMOVAL AND VACANCIES

- A. The National Chair may remove any Public Sector **Task Force Co-Chair** from his position and any legislative member from a Task Force with or without cause. Such action will not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive Task Force meetings.
- B. The Public Sector Task Force Co-Chair may remove any legislative member of an **Executive Committee or subcommittee** from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive meetings.
- C. The Chair of the Private Enterprise Advisory Council may remove **any Private Sector Task Force Co-Chair** from his position and any private sector member from a Task Force with cause. Such action shall not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues. .
- D. The Private Sector Task Force Co-Chair may remove any **private sector member of an Executive Committee or subcommittee** from his position with cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues.
- E. The Public and Private Sector Task Force Co-Chairs may remove an **advisor** from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such advisor whose removal is proposed.

- F. Any member or advisor may **resign** from his position as Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, public or private sector Task Force member, Task Force advisor, Executive Committee member or subcommittee member at any time by writing a letter to that effect to the Public Sector and Private Sector Task Force Co-Chairs. The letter should specify the effective date of the resignation, and if none is specified, the effective date shall be the date on which the letter is received by the Public and Private Task Force Co-Chairs.
- G. All **vacancies** for Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, Executive Committee member and subcommittee member shall be filled in the same manner in which selections are made under Section VI. All vacancies to these positions must be filled within thirty days of the effective date of the vacancy.

VIII. MEETINGS

- A. **Task Force meetings** shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs. Task Force meetings cannot be held any earlier than thirty-five days after being called, unless an emergency situation has been declared pursuant to Section VIII (H), in which case Task Force meetings cannot be held any earlier than ten days after being called. It is recommended that, at least once a year, the Task Forces convene in a common location for a joint Task Force Summit. **Executive Committee meetings** shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs and cannot be held any earlier than three days after being called, unless the Executive Committee waives this requirement by unanimous consent.

All ALEC model bills and resolutions will have an original adoption date and five year sunset date which can be renewed by a vote of the Task Force Executive Committee or the full Task Force and the ALEC Legislative Board of Directors.

All bills or model resolutions that are four years from adoption date will have one year for the Task Force to review and vote on whether to extend another five years. The Task Force Director will transmit all four year old model bills and resolutions to the Task Force Executive Committee no later than **65 Days** before the next Task Force Meeting.

In the **65 Day Notice** ALEC Staff will make one of the following recommendations for each four year model bill or resolution to the Task Force Executive Committee.

- The policy should sunset
- The policy should be amended
- The policy should be retained

The Task Force Co Chairs may appoint a special committee to review the recommendations from the ALEC staff. Executive Committees are to vote **40 Days** prior the next Task Force Meeting. The Executive Committees shall vote by phone, in person, or by any electronic means.

If a two-thirds majority of the Task Force **Executive Committee votes to retain** the model bill or resolution that action is to be reported to the full Task Force. The model bill or resolution will be directly transmitted to the Legislative Board of Directors for consideration. No Task Force vote is necessary since the model bill or resolution is existing policy and both the Task Force Executive Committee and the Legislative Board of Directors will vote to extend the sunset.

If a majority of the Task Force **Executive Committee agrees to sunset, amend, or retain** the model bill or resolution the model policy moves onto the full Task Force. The Task Force Executive Committee will transmit all model bills that are to expire as sunset or that are to be amended to the full Task Force. At the Co-Chairs discretion, any bill or resolution up for task force consideration may be placed on the **consent slate** that will go before the full Task Force.

Any member of the Task Force may make a motion to separate any model bill or resolution from the Consent calendar but must have an additional four members of the Task Force rise in support to second the motion. It would take a majority of the public and private sector bill to take any action on the model bill or resolution.

All model bills retained, amended, or sunset will go before the Legislative Board of Directors for approval before adoption as described in Section IX.

- B. **At least forty-five days** prior to a task force meeting any model bill, resolution or policy must be submitted to ALEC staff that will be voted on at the meeting. At least thirty-five days prior to a Task Force meeting, ALEC staff shall distribute copies of any model bill, resolution or policy statement that will be voted on at that meeting. This requirement does not prohibit modification or **amendment** of a model bill, resolution or policy statement at the meeting. This requirement may be waived if an emergency situation has been declared pursuant to Section VIII(H).
- C. **All Task Force meetings are open** to registered attendees and invited guests of ALEC meetings and conferences. Only Legislative Members who serve as regular Task Force Members may introduce any resolution, policy statement or model bill. Private Sector Task Force members will be allowed to participate in the Task Force meeting discussions and be seated at the table during Task Force meetings.

- D. ALEC private sector member organizations may only be represented at Task Force and Executive Committee meetings by the individual addressed in the **appointment letter** sent pursuant to Section VI (D) or a designee of the private sector member. If someone other than the individual addressed in the appointment letter is designated to represent the private sector member, the designation must be submitted in writing to the Public and Private Sector Task Force Co-Chairs before the meeting, and the individual cannot represent any other private sector member at the meeting.
- E. All Task Force and Executive Committee meetings shall be conducted under the guidelines of **Roberts Rules of Order**, except as otherwise provided in these Operating Procedures. A copy of the Task Force Operating Procedures shall be included in the briefing packages sent to the Task Force members prior to each meeting.
- F. A majority vote of legislative members present and voting and a majority vote of the private sector members present and voting, polled separately, are required to approve any motion offered at a Task Force or Executive Committee meeting. A **vote** on a motion to reconsider would be only with the sector that made the motion. Members have the right, in a voice vote, to abstain and to vote present by roll-call vote. In all votes a member can change their vote up until the time that the result of the vote is announced. Only duly appointed members or their designee as stated in Section VIII (D) that are present at the meeting may vote on each motion. **No proxy, absentee or advance voting is allowed.**
- G. The Public Sector Task Force Co-Chair and the Private Sector Task Force Co-Chair, with the concurrence of a majority of the Executive Committee, polled in accordance with Section VIII (F), may schedule a **Task Force vote by mail or any form of electronic communication** on any action pertaining to policy statements, model legislation or educational activity. The deadline for the receipt of votes can be no earlier than thirty-five days after notification of the vote is mailed or notified by any form of electronic communication, unless an emergency situation is declared pursuant to Section VIII (H), in which case the deadline can be no earlier than ten days after notification is mailed or notified by any form of electronic communication. Such votes are exempt from all rules in Section VIII, except: (1) the requirement that copies of model legislation and policy statements be mailed or notified by any form of electronic communication with the notification of the vote and (2) the requirement that a majority of legislative members voting and a majority of the private sector members voting, polled separately, is required to approve any action by a Task Force.
- H. For purposes of Sections VIII(A), (B) and (G), an **emergency situation** can be declared by:

- (1) Unanimous vote of all members of the Task Force Executive Committee present at an Executive Committee meeting prior to the meeting at which the Task Force votes on the model bill, resolution or policy statement; or
 - (2) At least three-fourth majority vote of the legislative and private sector Task Force members (voting in accordance with Section VIII (F)) present at the meeting at which the members vote on the model bill, resolution or policy statement.
- I. Ten Task Force members shall **constitute a quorum** for a Task Force meeting. One-half of the legislative and one-half of the private sector members of an Executive Committee shall constitute a quorum for an Executive Committee meeting.

IX. ***REVIEW AND ADOPTION PROCEDURES***

- A. All Task Force policy statements, model bills or resolutions shall become **ALEC policy** either: (1) upon adoption by the Task Force and being deemed within the scope of ALEC's core mission affirmation by the Legislative Board of Directors or (2) 70 days after adoption by the Task Force if no member of the Legislative Board of Directors requests **a formal review by the Board of Directors**, or (3) the National Chair may request an expedited vote on any bill that passed the Task Force by a 2/3 vote and is deemed within ALEC's core mission which waives all the Board deadlines. General information about the adoption of a policy position may be announced upon adoption by the Task Force.
- B. The Executive Director/Senior Director of Policy shall transmit within 20 days all Task Force policy statements, model bills or resolutions to the Executive Committee of the Board of Directors. The Executive Committee shall review and determine that each bill or model resolution is deemed within the scope of core issues. If not found to be within the scope of core issues the bill is returned to the Task Force. If the bill is found to be within the scope of core issues it shall be placed before the Board for consideration for adoption.
- C. The Executive Director/Senior Director of Policy shall transmit from the Executive Committee to the full Board any policy statement, model bill or resolution within ten days of such approval. Members of the Legislative Board of Directors shall have thirty days from the date of Task Force approval to review any new policy statement, model bill or resolution prior to adoption as official ALEC policy. Within those thirty days, any member of the Legislative Board of Directors may request that the policy be formally reviewed by the Legislative Board of Directors before the policy is adopted as official ALEC policy.

D. A member of the Legislative Board of Directors may request a formal review by the Legislative Board of Directors. The **request must be in writing** and must state the cause for such action and a copy of the letter requesting the review shall be sent by the National Chair to the appropriate Task Force Chair. The National Chair shall schedule a formal review by the Legislative Board of Directors no later than the next scheduled Legislative Board of Directors meeting. If the model bill or resolution has previously undergone a challenge before the full Board the National Chair may elect any of the following options:

- Allow for a second formal review
- Allow for a vote only at the next Board Meeting waiving Section IX (E) except for staff analysis.
- Allow for an early vote of the full board by any means of electronic communication waiving Section IX(E) except for staff analysis.

E. The review process will **consist of key members of the Task Force**, appointed by the Task Force Chair, providing the support for and opposition to the Task Force position. Position papers may be faxed or otherwise quickly transmitted to the members of the Legislative Board of Directors. The following is the review and adoption procedures:

- **Notification of Committee:** Staff will notify Task Force Chairs and the entire task force when the Board requests to review one of the Task Forces' model bills or resolutions.
- **Staff Analysis:** Will be prepared in a neutral fashion. The analyses will include:
 - History of Task Force action
 - Previous ALEC official action/resolutions
 - Issue before the Board
 - Proponents arguments
 - Opponents arguments
- **Standardized Review Format:** To ensure fairness, a set procedure will be used as the format to ensure the model bill/resolution has a fair hearing before the Board.
 - Task Force Chair(s) will be invited to attend the Board Review
 - Task Force Chair(s) will decide who will present in support and in opposition for the model bill/resolution before the Board.
 - Twenty minutes that is equally divided will be given for both sides to present before the Board.
 - It is suggested that the Board not take more than twenty minutes to ask questions of the presenters.
 - Presenters will then be excused and the Board will have a suggested twenty more minutes for discussion and vote.
 - All votes will be recorded for the official record.

- **Notification of Committee:** The Director of Policy will notify presenters immediately after the vote. If the Board votes to send the model bill/resolution back to the task force, the Board will instruct the Director of Policy or another board member what to communicate.

F. The Legislative Board of Directors can:

- (1) Vote to affirm the policy or affirm the policy by taking no action,
or
- (2) Vote to disapprove the policy, or
- (3) Vote to return the policy to the Task Force for further consideration providing reasons therefore.

- G.** Task Forces may only undertake educational activities that are based on a policy statement, model bill or resolution that has been adopted as official ALEC policy, unless the Task Force votes to undertake the educational activity, in which case the educational activity is subjected to the same review process outlined in this Section. It is the responsibility of the Task Force Executive Committee to affirm by three-fourths majority vote conducted in accordance with Section VIII that an educational activity conforms to a policy statement, model bill or resolution.

X. EXCEPTIONS TO THE TASK FORCE OPERATING PROCEDURES.

Exceptions to these Task Force Operating Procedures must be approved by the Legislative Board of Directors.



Mission Statement

To advance free markets, limited government,
and federalism.